

**JOINT BOARD MEETING  
BOARD OF TOWN SELECTMEN  
BOARD OF VILLAGE TRUSTEES  
Minutes of January 18, 2006**

- I. **ROLL CALL:** Selectboard Chair Donald Wallace, Selectmen Melvin Adams, Michael Demasi (absent), Richard I. Greenslit, and Roger LeClair (absent). Trustees Chair Thomas McCarney, Trustees Samantha Baraw, Libby Hambleton, Richard Suitor, and Jim Wilson (absent). Also present were Municipal Manager Nanci Allard; David Hanna; Mary Sinclair; Charlie Morse; Nelson Hoffman (Zoning Board of Adjustment), Planning Commission Chair David Tucker; Stephen Fitzhugh, Steven Jeffrey, and Johnnie Stones (Planning Commission); and Zoning Administrator Stephen Hatch.

The Joint Board meeting was called to order at 7:00 p.m.

- II. **PUBLIC PARTICIPATION:** none.

III. **DISCUSSION**

a. **Proposed Revisions to Northfield's Zoning Regulations**

1. **Charlie Morse: Accessory Buildings.** Mr. Morse reminded that the Boards approved Northfield's Municipal Plan in 2000. He reminded the Boards of its goals. There was money spent on consultants and the Planning Commission's "volunteer" hours and Mr. Morse would like to make sure that this is not disregarded. Mr. Morse stated that, based on the Municipal Plan, permission for accessory buildings is not to the Town's benefit. Regarding Section 401 – There was a legal opinion from the Vermont League of Cities and Towns that stated the addition of "accessory buildings" would be legally sound. Mr. Morse disagrees. Stephen Fitzhugh stated that the Planning Commission agreed that they would take the language from legislation, which did not include the "accessory buildings." He stated that it is the Planning Commission's intention that they would have the discussion this upcoming year. Nelson Hoffman attended the meeting at the end of November; Mr. Hoffman stated that the meeting was warned as a "special meeting," not as a public hearing. There will still be one more Public Hearing. The Board would like another Public Hearing, but they are not required to have one. Mr. Hoffman stated that at the Planning Commission was not sure, at their last meeting, of the regulations they were using. Mary Sinclair would like the Planning Commission to clarify the definition of "accessory building." Mr. Morse would like to have a clarification of the definition of "home occupation." Stephen Jeffrey discussed the definitions of Accessory and Accessory Use. We don't have a clear definition of what is "customary." Mr. Fitzhugh stated that in order to have a home occupation, you must have a permit. Trustee Richard Suitor stated that, in regards to Section 401, this is a minimum that is taken from a state law. It says that some will be permitted; it does not say that everything else would not be permitted. Johnnie Stones questioned "adverse effect"; isn't that determined by abutting properties? Could we define adverse effect? Selectman Melvin Adams would like to remind that whatever we decide, we need to remind of what we're willing to tolerate and that there should be consideration of the number of customers and noise. Mr. Hoffman stated that regardless of whether or not we support accessory buildings, we should include the stipulations on what the conditions would be. Ms. Sinclair stated that without a clear definition, we will be in a standstill. This seems to be brought by a single case; can we give more thought to one more case or will it be over after the hearing? Selectman Richard Greenslit stated that if we pass the initial piece, we need to decide what the expectations are for permit. We will have to build those expectations. Zoning Administrator Stephen Hatch stated that accessory buildings have been there right through. His recommendation is to not take accessory buildings out but to perhaps add a conditional use permit.

Selectboard Chair Wallace stated that the Planning Commission and the Selectboard have the ability to make the decision. The old state law had no accessory buildings nor does the new state law. The old Northfield Municipal Plan did and they would like to take them out when the regulations were changed. David Hanna asked what we do when they the conditional use permits are ignored. Chair Wallace stated that we'll cross that bridge when we come to it. Mr. Jeffrey stated that the permit process should take care of the problem of adverse effect.

2. **Trustees Chair Thomas McCarney – Definition of “Family” in Residential Area.** Chair McCarney would like to see the parking issue addressed. If you rent to five (5) individuals, it's safe to assume you'll have five (5) cars. This will create problems for parking and for traffic flow. Selectman Adams requested that the Planning Commission look at Randolph's regulations. Dave Tucker stated that they are trying to regulate without a permit. You can't regulate without a permit and perhaps some sort of a parking ordinance was needed.
3. **David Hanna – Conditional Use and Lack of Enforcement.** Chair Wallace stated that there could be no further discussion of Mr. Hanna's particular concern, as Mr. Hanna has hired an attorney. Mr. Hanna disagreed and said he is seeking an attorney but has not found one yet. Mr. Hanna still would like to know how the Boards will enforce the Conditional Use.
4. **Mary Sinclair.** Ms. Sinclair asked if the Planning Commission will have an opportunity to review all information and create one final version. She was informed that now that the Selectboard has held one public hearing, the document now belongs to the Selectboard to make changes and update the document unless substantial changes are returned to the Planning Commission.
5. **Nelson Hoffman.** Mr. Hoffman asked if minor changes were made, would there be another public hearing. Mr. Hoffman does not feel that any of the minor changes are valid because they have not followed the procedure in Section 301. At this time, these regulations have not been adopted. David Tucker stated that the Town's attorney called him before the meeting and it was determined that the 1999 regulations were in place for that meeting. Mr. Hoffman added that if the definition of “family” changed from five (5) to three (3), this would not be a minor change.
6. **David Hanna.** Mr. Hanna asked again about the enforcement of conditional use. Mr. Hanna again stated that he has not hired an attorney nor has an attorney contacted the Town on his behalf. Therefore, he is a taxpayer and he would like to have his question answered. Chair Wallace stated that this is not the time to discuss the Grey Building lighting issue.

**IV. PUBLIC PARTICIPATION: Non-agenda items:**

- a. **David Hanna.** Mr. Hanna asked his question again. There was no response.

**V. ADJOURNMENT:** Motion by Selectman Greenslit, seconded by Trustee Hambleton, to adjourn.  
**Motion passed 7-0-0.**

The meeting adjourned at 8:16 p.m.

Respectfully submitted,

*Samantha H. Baraw*

Samantha H. Baraw, Clerk

These minutes are subject to approval at the next Joint Board meeting.